

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Jason David Bulsa,)	C/A No. 7:05-1710-RBH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Kevin Mark Gray,)	
)	
Defendant.)	
)	

The plaintiff, *pro se*, filed this action against Kevin Mark Gray. This is the twelfth *pro se* case that the plaintiff has filed in this Court since April 2004. The complaint filed in this case arises out of the termination of plaintiff's employment with Federal Express in Spartanburg, South Carolina.

In accordance with 28 U.S.C. § 1915, 28 U.S.C. § 1915A, the Prison Litigation Reform Act, and Local Civil Rule 73.02 this matter comes before the Court with the Report and Recommendation of United States Magistrate Bruce H. Hendricks filed June 20, 2005. This Court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b).

Based on her review of the record, the Magistrate Judge concluded that the plaintiff's case should be dismissed because this Court does not have jurisdiction over the subject matter of this litigation. The Magistrate Judge advised petitioner of the procedures and requirements for filing objections to the report. No objections have been filed in this case.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the report and recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to him with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has reviewed the Report, pleadings, memoranda, and applicable law. The Court adopts the Report and Recommendation and incorporates it herein by reference. Accordingly, this case is **DISMISSED** *without prejudice* and without issuance and service of process.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

July 26, 2005
Florence, SC